
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

KENNETH WAYNE MALLORY

versus

UNITED STATES OF AMERICA

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CIVIL ACTION NO. 4:16-CV-845
CRIMINAL ACTION NO. 4:04CR00106-024

ORDER OF DISMISSAL

The above-entitled and numbered civil action was referred to United States Magistrate Judge Kimberly C. Priest Johnson. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court.

It is accordingly **ORDERED** that the Motion to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody (#1) pursuant to 28 U.S.C. § 2255 is **DISMISSED** without prejudice. Fed. R. Civ. P. 41(b); Rule 41, Local Rules for the Eastern District of Texas. All motions by either party not previously ruled upon are **DENIED**.

SIGNED at Beaumont, Texas, this 6th day of February, 2019.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE